

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DWIGHT RUSSELL, <i>et al.</i> ,	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	Case No. 4:19-cv-00226
	§	
HARRIS COUNTY, TEXAS, <i>et al.</i> ,	§	
<i>Defendants.</i>	§	

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STATE INTERVENOR’S PARTIALLY UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE A RESPONSIVE PLEADING

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The State of Texas, the Honorable Greg Abbott, Governor of Texas, and the Honorable Ken Paxton, Attorney General of Texas (“State Intervenor”) file this Partially Unopposed Motion for Extension of Time to File a Responsive Pleading, and show the Court the following:

1. On January 21, 2019, Plaintiffs filed a Class Action Complaint in this matter. ECF No. 1.
2. On March 29, 2020, State Intervenor filed a Motion to Intervene. ECF No. 38.
3. On March 30, 2020, the Court Granted the Motion to Intervene. ECF No. 46.
4. On May 6, 2020, Plaintiffs filed a First Amended Class Action Complaint. ECF No. 140.

5. On May 29, 2020, the Court issued a Scheduling and Docket Control Order. ECF No. 162. The Order directs Defendants and State Intervenor to Answer or file Motions to Dismiss by June 22, 2020.

6. During the June 11, 2020, status conference Plaintiffs' counsel indicated that they would move to amend their complaint yet again in the near future.

7. Considering the forthcoming amendment, State Intervenor respectfully request that this Court suspend the June 22 deadline to respond to the First Amended Class Action Complaint, which will soon be defunct.

8. Assuming the Court grants the motion to amend, State Intervenor will respond within 14 days of the Second Amended Class Action Complaint being formally docketed.

9. On June 15, 2020, the undersigned emailed counsel for Plaintiffs and Defendants to confer as to the requested relief. Plaintiffs are unopposed. At the time of filing this Motion, Defendants' counsel have not yet responded; hence, this Motion is styled only "partially unopposed."

10. This request is not being sought solely for the purpose of delay, but instead to avoid duplicative briefing and to allow the lawyers for State Intervenor to spend their time and effort in the interim focusing on other COVID-19-related projects/cases.

11. For these reasons, State Intervenor respectfully request this Court suspend the June 22, 2020 deadline to respond to the First Amended Class Action Complaint.

Respectfully submitted.

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**COUNSEL FOR STATE INTERVENORS**

**CERTIFICATE OF CONFERENCE**

I hereby certify that on June 15, 2020, I conferred with counsel for Plaintiffs and Defendants, via email regarding the substance of the foregoing instrument. Plaintiffs are unopposed. As of the filing of this motion, Defendants' counsel have not yet responded.

/s/ Adam Arthur Biggs

ADAM ARTHUR BIGGS

Special Litigation Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been sent by electronic notification through ECF by the United States District Court, Southern District of Texas, Houston Division, on June 16, 2020 to all parties of record.

/s/ Adam Arthur Biggs

ADAM ARTHUR BIGGS

Special Litigation Counsel